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15 Attorneys for Defendants
16 UBER TECHNOLOGIES, INC.
and OTTOMOTTO LLC

17 UNITED STATES DISTRICT COURT
18 NORTHERN DISTRICT OF CALIFORNIA
19 SAN FRANCISCO DIVISION

20 WAYMO LLC,

Case No. 3:17-cv-00939-WHA

21 Plaintiff,

**DECLARATION OF CAMILA
TAPERNOUX IN SUPPORT OF
DEFENDANTS' OPPOSITION TO
WAYMO LLC'S MOTION FOR
JURY INSTRUCTION BASED ON
SPOILATION**

22 v.

23 UBER TECHNOLOGIES, INC.,
OTTOMOTTO LLC; OTTO TRUCKING LLC,

24 Defendants.

Trial Date: December 4, 2017

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1 I, Camila Tapernoux, declare as follows:

2 1. I am an attorney at the law firm of Morrison & Foerster LLP. I am a member in
 3 good standing of the Bar of the State of California. I make this declaration based upon matters
 4 within my own personal knowledge and if called as a witness, I could and would competently
 5 testify to the matters set forth herein. I make this declaration in support of Defendants'
 6 Opposition to Waymo LLC's Motion for Jury Instruction Based on Spoliation.

7 2. Attached as Exhibit 1 is a true and correct copy of excerpts from the June 19, 2017
 8 deposition of Lior Ron.

9 3. Attached as Exhibit 2 is a true and correct copy of the November 20, 2017,
 10 Declaration of Allan T. Vogel.

11 4. Attached as Exhibit 3 is a true and correct copy of excerpts from the July 20, 2017
 12 deposition of Ognen Stojanovski.

13 5. On November 20, 2017, I reviewed searches of all emails, documents, and text
 14 messages located in the custodial files of, or sent to or from, Anthony Levandowski, Lior Ron,
 15 Travis Kalanick, Nina Qi, John Bares, and Cameron Poetscher that Uber produced. I also
 16 reviewed searches of all such documents that had a document date between January 1, 2016, and
 17 March 31, 2016. From my review of those searches, I was able to confirm that Uber has
 18 produced 8,748 emails, documents, and text messages located in the custodial files of, or sent to
 19 or from, Anthony Levandowski, Lior Ron, Travis Kalanick, Nina Qi, John Bares, and Cameron
 20 Poetscher. I was also able to confirm that 1,390 of these documents had a document date
 21 between January 1, 2016, and March 31, 2016.

22 I declare under penalty of perjury that the foregoing is true and correct. Executed this
 23 20th day of November, 2017 at San Francisco, California.

24
 25 */s/ Camila Tapernoux*
 26 Camila Tapernoux
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ATTESTATION OF E-FILED SIGNATURE

I, Arturo J. González, am the ECF User whose ID and password are being used to file this Declaration. In compliance with Civil L.R. 5-1(i)(3), I hereby attest that Camila Tapernoux has concurred in this filing.

Dated: November 20, 2017

/s/ *Arturo J. González*

Arturo J. González